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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 05 1968

Applicants : Donald B. Borders *et al* SEARCHED  
Application No. : 09 904,352  
Filed : July 13, 2001  
For : *DERIVATIVES OF LASPARTOMYCIN AND PREPARATION AND USE THEREOF*

Art Unit : 1653  
Docket No. : 660081.424C2  
Date : August 22, 2002

Commissioner for Patents  
Washington, DC 20231

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, applicants wish to make known to the Patent and Trademark Office the references set forth on the attached form PTO-1449 (copies of the cited references, as required under 37 C.F.R. § 1.98, are enclosed). As to any reference supplied, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

We hereby certify that each of the references set forth on the attached form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Second Supplemental Information Disclosure Statement.

Please acknowledge receipt of this Second Supplemental Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

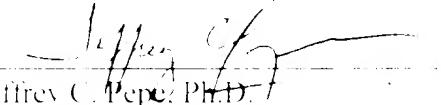
Respectfully submitted,

Seed Intellectual Property Law Group PLLC



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Jeffrey C. Pepe, PLLC  
Registration No. 46,985

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Enclosures:

Form PTO-1449

Cited References (2)

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PTO SB 21 (08-00)

1653

# TRANSMITTAL FORM

(To be used for all correspondence  
after initial filing)

Application Number	09/904,352
Filing Date	July 13, 2001
First Named Inventor	Donald B Borders
Group Art Unit	1653
Examiner Name	
Attorney Docket No	660081 424C2

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## ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment/Response
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Second Supplemental Information Disclosure Statement; Form PTO-1449
- Cited References (2)
- Certified Copy of Priority Document(s)
- Response to Missing Parts under 37 C F R. 1.52 or 1.53
- Response to Missing Parts/Incomplete Application

- Assignment Papers (for an Application)
- Drawing(s)
- Request for Corrected Filing Receipt
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney
- Revocation, Change of Correspondence Address
- Declaration
- Statement under 37 CFR 3.73(b)
- Terminal Disclaimer
- Small Entity Statement
- Request for Refund
- CD(s). Number of CD(s)
- After Allowance
- Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Return Receipt Postcard
- Additional Enclosure(s) (please identify below).

## Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name      Jeffrey C Pepe Ph D  
Reg No 46.985



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Signature

Date

22 Aug 2002

## CERTIFICATE OF MAILING

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Typed or printed name      Linda Povine

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